IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.994 OF 2005

IN

LAND ACQUISITION REFERENCE NO.4 OF 2001

IN

CASE NO.LAQ/SR-535

Special Land Acquisition
Officer No.(2)

And

Shri Bharat Yadav Mantri & Ors. ...Claimants

And

The Brihan Mumbai Electricity
Supply & Transport Undertaking ...Acq.Body

And

Shri mohammed Hanif Mannu ...Applicant/Claimant

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Mr.M.N.Naik, A.G.P. for S.L.A.O.

Mr.Abhay L.Patki for Applicant/Claimant.

Ms.Pratibha Mehta i/b Little & Co. for Acq.Body.

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CORAM: A.M.KHANWILKAR, J.

AUGUST 16, 2005.

P.C.

1. Heard Counsel for the parties.

2. This Application is taken out by the Applicant/Claimant on the assertion that all the original documents referred to in list of document Exhibit ‘A1’ have been lost while in transit. Complaint about loss of such documents was immediately registered with the Senior Inspector of Police, Borivli Railway Police, Mumbai on 15th September 1999.

3. In this backdrop, as the cause made out by the Applicant is sufficient cause, the Applicant may be entitled to produce secondary evidence of the documents referred to in the list of documents annexed as Exhibit ‘A1’ to the Chamber Summons. That, however, will be subject to the objection regarding admissibility of the respective documents, if any. That question will be considered at the appropriate stage.

4. Chamber Summons disposed of on the above terms. No order as to costs.

A.M.KHANWILKAR, J.